

CITY OF SURREY

BY-LAW NO. 13430

A by-law to amend Surrey Zoning By-law, 1993, No. 12000,
as amended.

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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the Municipal Act R.S.B.C. 1996 Chapter 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" under Part 3 of Surrey Zoning By-law, 1993, No. 12000, as amended, as follows:

FROM "SINGLE FAMILY RESIDENTIAL ZONE (RF)"
TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

Parcel Identifier: 000-624-292, Lot 137, Section 18, Township 1,
New Westminster District, Plan 10320.

(12505 - 22 Avenue)

(hereinafter referred to as the "*Lands*")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate a *single family dwelling* and *accessory building(s)* on the *Lands* or on an *urban lot* after subdivision of the *Lands*.

B. Permitted Uses

Land and *structures* shall be used for the following uses only, or for a combination of such uses:

1. One *single family dwelling*.

2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000 as amended; and
 - (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

C. Lot Area

Not applicable to this Zone.

D. Density

1. For the purpose of this By-law and notwithstanding the definition of *floor area ratio* in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended, all covered areas used for parking shall be included in the calculation of the allowable total floor area and *floor area ratio*.
2. For *building* construction on the *Lands*:
 - (a) The maximum allowable total floor area shall be 390 square metres [4,200 sq. ft.], of which the maximum floor area of the *principal building* including attached garage shall be 330 square metres [3,550 sq. ft.];
 - (b) The maximum permitted floor area of a second storey for a *principal building* shall not exceed 80% of the floor area of the first storey including attached garage, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls at the main floor level or a combination thereof; and
 - (c) Where an *accessory building* is greater than 10 square metres [105 sq. ft.] in size, the area in excess of 10 square metres [105 sq. ft.] shall be included as part of the floor area for the purpose of calculating the allowable total floor area.
3. Notwithstanding Section D.2 above, for building construction within any of the *lots* created after the *Lands* are subdivided into *lots* in accordance with Section K of this By-law:
 - (a) The *floor area ratio* shall not exceed 0.52 for *lots* of 560 square metres [6,000 sq. ft.] or less and 0.48 for *lots* in excess of

560 square metres [6,000 sq. ft.] provided that of the resulting allowable floor area, 37 square metres [400 sq. ft.] shall be reserved for use only as a garage or carport and further provided that where an *accessory building* is greater than 10 square metres [105 sq. ft.] in size that the area in excess of 10 square metres [105 sq. ft.] shall be included as part of the floor area for the purpose of calculating *floor area ratio*;

- (b) The maximum permitted floor area of a second storey for a *principal building* shall not exceed 80% of the floor area of the first storey including attached garage, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls at the main floor level or a combination thereof; and
- (c) Notwithstanding the above, the maximum allowable floor area shall be as follows:
 - (i) 270 square metres [2,900 sq. ft.] for *lots* of 560 square metres [6,000 sq. ft.] or less; and
 - (ii) 330 square metres [3,550 sq. ft.] for *lots* in excess of 560 square metres [6,000 sq. ft.].

E. Lot Coverage

The maximum *lot coverage* shall be 40%.

F. Yards And Setbacks

Buildings and *structures* shall be sited in accordance with the following minimum setbacks:

<i>Use</i>	<i>Setback</i>	<i>Front Yard*</i>	<i>Rear Yard***</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m.** [6 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [105 sq. ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m. [6 ft.]	1.0 m. [3 ft.]	7.5 m. [25 ft.]
<i>Other Accessory Buildings and Structures</i>		18.0 m [60 ft.]	0.0 m	0.0 m	7.5 m [25 ft.]

Measurements to be determined as per Part 1 Definitions, of Surrey Zoning By-law, No. 1993, as amended.

* The *front yard setback* may be relaxed at a lower floor level only to 5.5 metres [18 ft.] for a maximum of 50% of the length of the front of the single family dwelling for all portions of the dwelling excluding the garage. If 50% of the building face is set back 9 metres [30 ft.] from the *front lot line*, the *setback* to an attached garage whose main access doors face the fronting *highway* may be relaxed to 6.7 metres [22.0 feet], except that the setbacks for a garage whose main access doors face a *side yard* may be relaxed to 4.5 metres [15 ft.].

With the exception of a garage whose main access doors face a *side yard*, an attached garage to the *principal building* shall not extend towards the *highway* for more than half the depth of the said garage, measured from the exterior front face of the *principal building*, excluding any front face of the exterior wall above the said garage. If the aforesaid garage contains more than 2 parallel parking bay(s), the additional parking bay(s) and the garage entrance leading to the additional parking bay(s) shall be set back at least 0.9 metre [3 ft.] from the front of the said garage.

** The *side yard* may be reduced to not less than 1.2 metres [4 ft.] provided that the opposite *side yard* on the *lot* is at least 2.4 metres [8 ft.].

*** 50% of the length of the rear *building* face may be *setback* a distance of 6.0 metres [20 ft.] from the *rear lot line* provided the remainder of the *building* face, not including *sun decks* is *setback* at least 8.5 metres [28 ft.] from the *rear lot line*.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended:

1. Principal building:
 - (a) The *building height* shall not exceed 9 metres [30 feet]; and
 - (b) The *building height* of the *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
2. Accessory buildings and structures: The *building height* shall not exceed 4 metres [13 feet] except that where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building* the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.].

H. Off-Street Parking

1. A minimum of 2 off-street parking spaces shall be provided.
2. Where *boarders* or *lodgers* or *bed and breakfast* users are accommodated the following shall be provided:
 - (a) Where 3 patrons or less are accommodated, 1 parking space shall be provided; and
 - (b) Where more than 3 patrons are accommodated, 2 parking spaces shall be provided.
3. Outside parking or storage of campers, boats and *vehicles* including cars, trucks and *house trailers* ancillary to a residential use shall be limited as follows:
 - (a) A maximum of 2 cars or trucks;
 - (b) *House trailer, camper* or boat, provided that the combined total shall not exceed 1; and
 - (c) The total amount permitted under (a) and (b) shall not exceed 3.
4. No outside parking or storage of a *house trailer* or boat is permitted within the *front yard setback*, or within the required *side yards* adjacent the *dwelling*, or within 1 metre [3 ft.] of the *side lot line*, except as follows:
 - (a) On *lots* which have no vehicular access to the *rear yard* or where access is not feasible through modification of *landscaping* or fencing or both, either 1 *house trailer* or 1 boat may be parked in

the front driveway or to the side of the front driveway or in the *side yard*, but no closer than 1 metre [3 ft.] to a *side lot line* nor within 1 metre [3 ft.] of the *front lot line* subject to the residential parking requirements stated in Section B.1 of Part 5 Parking, of Surrey Zoning By-law 1993, No. 12000, as amended;

- (b) Notwithstanding Sub-section H.4(a), no outside parking or storage of a *house trailer* or boat is permitted on *corner lots* in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the two *lot lines*; and
- (c) Adequate screening, as described in Section I.2 of this Zone is provided.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. The parking or storage of *house trailers* or boats shall be adequately screened by compact evergreen trees or shrubs at least 1.8 metres [6 ft.] in height and located between the said *house trailer* or boat and any point on the *lot line* within 7.5 metres [25 ft.] of the said *house trailer* or boat, in order to obscure the view from the abutting *lot* or street, except:
 - (a) on a *corner lot*, this required landscape screening shall not be located in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the 2 *lot lines*;
 - (b) where the driveway or the parking area is used for parking or storage of a *house trailer* or boat, the landscape screen is not required within the said driveway; and
 - (c) in the case of *rear yards*, this screening requirement may be provided by a 1.8 metre [6 ft.] high solid fence.

J. Special Regulations

Not applicable to this Zone.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

	<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
Subdivision	560 sq. m. [6,000 sq. ft.]	15 metres [50 ft.]	28 metres [90 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

L. Other Regulations

In addition, land use regulations including the following are applicable:

1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RF Zone as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking, of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. *Sign* regulations are as set out in Part 6 Signs, of Surrey Zoning By-law, 1993, No. 12000, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended, and the Surrey Development Cost Charge By-law, 1993, No. 11951, as amended, and the development cost charges shall be based on the RF Zone.
8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
9. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1996. chapter 60, as amended, and the Child Care Regulations set out under B.C. Reg 319/89/213.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1998, No. 13430."

PASSED FIRST AND SECOND READING on the 19th day of May, 1998.

PUBLIC HEARING HELD thereon on the 15th day of June, 1998.

PASSED THIRD READING on the 15th day of June, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 5th day of October, 1998.

_____ MAYOR

_____ CLERK